

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

ROBERT LYLE GILL,

Plaintiff,

vs.

SGT. LEONARD; SGT.  
GOODYEAR; SGT. MYRUP;  
OFFICER REITZ; OFFICER WEBB  
& OTHER UNKNOWN OFFICERS;  
SGT. VEATCH; CAPTAIN BODINE;  
YELLOWSTONE COUNTY  
SHERIFF'S OFFICE;  
YELLOWSTONE COUNTY;  
UNKNOWN DIRECTOR AND  
NURSES OF CORRECTIONS  
HEALTH PARTNERS;  
CORRECTIONS HEALTH  
PARTNERS,

Defendants.

CV 19-136-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on June 30, 2022. (Doc. 99). The Magistrate recommended that Defendants' motions to dismiss for failure to state a claim and for judgment on the pleadings be denied as moot. The Magistrate also recommended that the Court dismiss Defendants Yellowstone County, the Yellowstone County Sheriff's Office, and Corrections Health Partners without further leave to amend. (Doc. 99 at 11).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 99) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendants' motions to dismiss for failure to state a claim and for judgment on the pleadings (Docs. 84, 86, 88, 90, 92) are DENIED AS MOOT.

IT IS FURTHER ORDERED that Defendants Yellowstone County, the Yellowstone County Sheriff's Office, and Corrections Health Partners are dismissed without further leave to amend.

DATED this 12<sup>th</sup> day of August, 2022.

Susan P. Watters  
SUSAN P. WATTERS  
United States District Judge